




<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>N9810.0031/P031</b>								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">In re Application of Harry A. Dugger, III et al.</td> </tr> <tr> <td style="width: 60%; padding: 2px;">Application Number 10/671,717-Conf. #2024</td> <td style="padding: 2px;">Filed September 29, 2003</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For <b>BUCCAL, POLAR AND NON-POLAR SPRAY CONTAINING ONDANSETRON</b></td> </tr> <tr> <td style="padding: 2px;">Art Unit 1616</td> <td style="padding: 2px;">Examiner M. Haghighatian</td> </tr> </table>			In re Application of Harry A. Dugger, III et al.		Application Number 10/671,717-Conf. #2024	Filed September 29, 2003	For <b>BUCCAL, POLAR AND NON-POLAR SPRAY CONTAINING ONDANSETRON</b>		Art Unit 1616	Examiner M. Haghighatian
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<p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <span style="float: right;">\$ 540.00</span></p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$ 270.00</span></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>04-1073</u>.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p><b>WARNING: INFORMATION ON THIS FORM MAY BECOME PUBLIC. CREDIT CARD INFORMATION SHOULD NOT BE INCLUDED ON THIS FORM. PROVIDE CREDIT CARD INFORMATION AND AUTHORIZATION ON PTO-2038.</b></p> <p>I am the</p> <table style="width: 100%;"> <tr> <td style="width: 60%; vertical-align: top;"> <input type="checkbox"/> applicant /inventor.   <input type="checkbox"/> assignee of record of the entire interest.                  See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)   <input checked="" type="checkbox"/> attorney or agent of record.                  Registration number <u>32,115</u>   <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.                  Registration number if acting under 37 CFR 1.34. _____             </td> <td style="width: 40%; vertical-align: top; text-align: center;">                   _____                  Signature                   James W. Brady, Jr.                  Typed or printed name                   _____                  (202) 420-4786                  Telephone number                   _____                  May 6, 2009                  Date             </td> </tr> </table>			<input type="checkbox"/> applicant /inventor.  <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)  <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>32,115</u>  <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	 _____ Signature  James W. Brady, Jr. Typed or printed name  _____ (202) 420-4786 Telephone number  _____ May 6, 2009 Date						
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<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>										
<p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>										

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: 5/4/09

